



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,177	06/18/2001	Joong-eon Seo	1293.1219	8000

49455 7590 04/05/2007  
STEIN, MCEWEN & BUI, LLP  
1400 EYE STREET, NW  
SUITE 300  
WASHINGTON, DC 20005

EXAMINER
----------

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
----------	--------------

3694

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/882,177	SEO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mary Cheung	3694	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4,6,7 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,7 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of the Claims***

1. This action is in response to the amendment filed on January 17, 2007. Claims 1, 3-4, 6-7 and 28 are pending. Claims 1, 4 and 7 are amended.

### ***Response to Arguments***

2. Applicant's arguments filed January 17, 2006 have been fully considered but they are not persuasive.

The applicant argues that Kullick (U. S. Patent 5,751,997) fails to teach recording or transmission of date and time of a last update, or determining by a server of the need for modification/update of a database recorded on an optical disc based on transmitted date and time. Examiner respectfully disagrees. Kullick teaches the storing information comprising "Date Last Modified" (see column 5 lines 55-60 and column 6 lines 29-31 and Figs. 3a-3b), that corresponds to the date and time of last update. Kullick further teaches based on the date of last modification is used to determining the necessity of new backup (column 7 line 25 – column 8 line 38 and column 9 lines 8-25).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3694

4. Claims 1, 4, 6 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yeates et al., U. S. Patent 5,644,782 in view of Kullick et al., U. S. Patent 5,751,997.

As to claim 1, Yeates teaches a database updating apparatus comprising  
(abstract):

- a) a network (Fig. 1);
- b) a server arranged to provide database-related information via the network (column 2 lines 5-30 and Fig. 1);
- c) a user computer arranged to access the server via the network, and to retrieve the database-related information, wherein (column 2 lines 5-30 and Fig. 1): the user computer comprises an optical disc recording/reproducing apparatus, and is configured to: record data on and reproduce data from an optical disc, and record updated data for initial data of the database on the optical disc (column 2 line 31 – column 3 line 10 and Figs. 1-2);
- d) initial data of the database is recorded in read only region of the optical disc prior to a first access of the server by the user computer and the modified/updated data for the initial data of the database transmitted from the server is recorded in a recordable region of the optical disc (column 2 line 31 – column 4 line 28 and Figs. 2-4; *specifically, “read only region” corresponds to Read-Only Memory Device 274, and “recordable region” corresponds to “Read-Write Auxiliary Memory device 276 in Yeates’ teaching*).

Yeates does not specifically teach that the optical disc comprising a database and a date and time of a last update of the database are recorded, and which is programmed to transmit the date and time of the last update to the server and to record modified/updated data for initial data of the database; and the server is programmed to determine if modification/update of the database recorded on the optical disc is needed based on the transmitted date and time, and to transmit the modified/updated data to the optical disc recording/reproducing apparatus. However, Kullick teaches a computer device comprising an optical disc, the optical disc comprising a database, the computer device transmitting the date and time of the last update information of the database regarding the optical disc to the server (*is interpreted as the primary and second storage device in Kullick's teaching*) and to record modified/updated data; and the server is programmed to determine if the modification/update of the database recorded on the optical disc is needed based on the transmitted date and time, and to transmit the modified/updated data to the optical disc recording/reproducing apparatus (column 5 lines 3-61 and column 7 line 9 – column 8 line 38 and Figs. 1-4C). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the optical disc in Yeates' teaching to include a database and a date and time of a last update of the database are recorded, and which is programmed to transmit the date and time of the last update to the server and to record modified/updated data; and the server is programmed to determine if modification/update of the database recorded on the optical disc is needed based on the transmitted date and time, and to transmit the modified/updated data to the optical disc recording/reproducing apparatus as taught by

Art Unit: 3694

Kullick for efficiently updating and centralizing information between an optical disc and a server.

As to claim 4, Yeates teaches a method of updating a database comprising: permitting a user computer usable with an optical disc, on which a vendor database is recorded in a read only region of the optical disc, to access a server of the database vendor via a network, recording modified/updated data in a recordable region of the optical disc if modification/update is needed; and recording the modified/updated data on the optical disc (column 2 line 5 – column 3 line 10 and Figs. 1-2). Yeates does not specifically teach receiving a date and time of a last update of the database recorded in a recordable regions of the optical disc from the user computer and determining whether modification/update of the database is needed based on the received date and time. However, Kullick teaches a user computer comprising an optical disc, the optical disc comprising a database, receiving from the user computer a date and time of the last update information of the database regarding the recordable disc and determine whether modification/update of the database is needed based on the received date and time (column 5 lines 3-61 and column 7 line 9 – column 8 line 38 and Figs. 1-4C). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow Yeates' teaching to include the feature of receiving a date and time of a last update of the database recorded on the disc from the user computer and determining whether modification/update of the database is needed as taught by Kullick for efficiently and securely updating and centralizing information between an optical disc and a server.

As to claim 6, Yeates does not specifically teach recording a new date and time of the last update on the disc of the recordable region. However, Kullick teaches recording the date and time of the last update (Figs. 3a-3b). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the date and time of the last update to be recorded in the recordable region so that the updating information can be better verified and audited.

As to claim 28, Yeates teaches a method of distributing and maintaining a database, the method comprising (abstract):

- (a) distributing an optical disc having a read-only region in which a data base corresponds to a first data in recorded and a recordable region in which the first data is recorded (column 2 line 31 – column 3 line 36 and Fig. 2);
- (b) operating the optical disc in a user computer having an optical disc reproducing/recording apparatus (column 2 lines 5-30 and Fig. 1);
- (c) maintaining updating data for the data base corresponding to a second data on the server when the data base was updated (column 2 line 31 – column 3 line 36 and column 3 line 38 – column 4 line 28 and Fig. 2, 4);
- (d) accessing the server and transmitting the first data to the server (column 2 line 31 – column 4 line 28 and Figs. 2-4);
- (e) transmitting the update data and the second data to the user computer (column 2 line 31 – column 4 line 28 and Figs. 2-4);
- (f) storing the update data in the recordable region of the optical disc (column 2 line 31 – column 4 line 28 and Figs. 2-4);

Art Unit: 3694

(g) updating the first data stored in the recordable region to the second data (column 2 line 31 – column 4 line 28 and Figs. 2-4).

Yeates does not specifically teach first data is a first date and time, and the second data is a second date and time, and transmitting the second data to the user computer if the second date and time is later than the first date and time. However, these matters are taught by Kullick as receiving a from the user computer a date and time of the last update information of the database installed in the user computer, and determines whether an update is need based on the date and the time of the last update received from the user computer and the date and time of updated stored in the database server (column 5 lines 3-61 and column 7 line 9 – column 8 line 38 and Figs. 1-4C). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow Yeates' teaching to include the feature of as taught by Kullick for efficiently and securely updating and centralizing information between a user computer and a server.

5. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yeates et al., U. S. Patent 5,644,782 in view of Kullick et al., U. S. Patent 5,751,997 in further view of Alloul et al., U. S. Patent 6,032,130.

As to claims 3 and 7, Yeates modified by Kullick teaches the server transmitting information, which is received from the user computer, to the user computer and the optical disc recording apparatus records the information on the optical disc as discussed in claims 1 and 4 above. Yeates modified by Kullick does not specifically teach the information is a purchase order. However, Alloul teaches electronic transactions involve



purchase orders (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the information in the teaching of Yeates modified by Kullick to be a purchase order for expanding the usage environment of the database updating apparatus; thus attracting more clients to use the apparatus.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Art Unit: 3694

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

- (571) 273-8300 (Official Communications; including After Final Communications labeled "BOX AF")
- (571) 273-6705 (Draft Communications)

Mary Cheung  
March 29, 2007



**MARY D. CHEUNG**  
**PRIMARY EXAMINER**